

THE HONORABLE MAGISTRATE DAVID CHRISTEL
BY BENJAMIN A. SETTLE

THE HONORABLE MAGISTRATE DAVID CHRISTEL

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MATTHEW R. RUTA,

PLAINTIFF,

V.

PATRICK Glebe, Et al....CASE NO: 2:14-cv-01388-BHS-
DWCTO TO SEND MY LEGAL
PROPERTY & PLACE FACILITY
BAND ON STAFFORD CREEK &
ORDER THE S GRIEVANCE BN UNCONSTITUTIONAL

The WOOC has a 5 GRIEVANCE ban that is denying me

Access to the courts. Stafford Creek has been processing 5-GRIEVANCES

for one quarter of a year. There can be no legitimate policy

To prevent me from filing serious Grievances. (Exhibit One,

Two Grievances & a grievance chart, denied for filing due to

the unconstitutional 5-GRIEVANCE ban. I ask that this

Court rule that policy unconstitutional so I may access the
courts.

Next, I mapped this issue out in my last Objections. (Exhibit Two, objections with today letter threatening to destroy my legal property & personal property if I do not send \$75.00). In the second Amended Complaint I added the active interference claim of the defendants for the second time placing me in segregation & denying me my legal property. This has prejudiced my traverse, Amended complaint, two replies, and division over PRP. Still SCC has not provided me my legal property. I am indigent, I am in close custody, I have no way to get \$75.00, it is like a million dollars. I am to poor to afford the postage of my legal property. This violates my constitutional rights to access the courts.

rights to access the courts & is active interference, stafford creek can send my property with the chain boses for free.

I did not & do not have either of the TRO responses from the AAG, so I could not reply to them. Stafford creek prevented me from reply to my TROS.

I did not & still do not have my criminal habeas corpus legal property. This prevented me & still is from litigating my Active Habeas corpus without my legal property I cannot litigate this civil complaint, my habeas corpus, or my active PRP IN DIVISION ONE.

I ask that this court order stafford creek to send my legal property to me. I do not have \$75.00 & stafford will destroy my legal property on July 4th because I am poor. This court

has a duty to protect me from being denied court access because I am poor. This court has a duty to order stafford creek to send my legal work. They can send it on the chain bus.

Next, due to all the Retaliation & active interference inflicted upon me by stafford creek employees. I ask that this court order a separatee is placed on that facility, banning me from being sent back to sccc ever. My life was even threatened by I&IJS. I should never have to go back to that horrible & unprofessional facility.

Date 6-1-16

X (M.R.R.) R. MM
Matthew R. Ruth, PRISONER RIGHTS ACTIVIST

EXHIBIT
ONE

Serious Grievance issues
Banned by the unconstitutional
5-Grievance Policy.



STAFF MISCONDUCT

LOG I.D. NUMBER

16610240

OFFENDER COMPLAINT

CHECK ONE: Initial Emergency Appeal Rewrite

RESIDENTIAL FACILITIES: Send completed form to the Grievance Coordinator. Explain what happened, when, where, and who was involved or which policy/procedure is being grieved. Be as brief as possible, but include the necessary facts. Use only one complaint form. A formal grievance begins on the date the typed grievance forms are signed by the Coordinator. Contact a Department employee to report an emergency situation or to initiate an emergency complaint. Please attempt to resolve all complaints through the appropriate Department employee(s) before pursuing a grievance.

NOTE: Complaints must be filed within 20 working days of the incident. Appeals must be filed within 5 working days of receiving the response. Include log ID # on rewrite or response being appealed.

Last Name Ruth	First Matthew	Middle R.	DOC Number 879492	Facility/Office WSP	Unit/Cell Fu 118-1
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COMMUNITY SUPERVISION: Send completed copies of this form directly to: Grievance Program Manager, Offender Grievance Program, Department of Corrections, P.O. Box 41129, Olympia WA 98504-1129.

MAILING ADDRESS: STREET OR P.O. BOX	CITY, STATE	ZIP CODE	TELEPHONE
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COMPLAINT: On 5-10-16 I was placed on legal mail out/copies at the Law Library 12:40PM. I brought 3-ENvelopes with me. There is no warning or policy that grants me to the mail out rule applied to me. CO MILLER searched me & made me throw away my LEGAL ENVELOPES I bought from store because my name was not on them. I had a pen & card with my name on them. CO MILLER called me a 112 saying no legal mail is sent out from the law library. That is a lie. I informed the Sgt. in the Law Library I have a verified deadline for 5-10-16. He told her that although there is no notice or policy to enforce their rule & that I cannot meet my deadline it is OK. I told him that is false interference with my right to access the courts per the 8th Circuit & the US supreme court. He threatened to send me back to the unit and told me not to tell him what the law is. They are both UNPROFESSIONAL.

SUGGESTED REMEDY:

The Sgt. & CO MILLER need educated on the case of ETHICS outlined in the WDC Employee Hand Book page 18-21. Some type of notice needs to be given to us so we know these Mandatory Give back my Envelopes 5-10-16 My Mail Out rules. make known of this.

Signature

Date

GRIEVANCE COORDINATOR

Your complaint is being

- It is not a grievable issue
- You requested to withdraw
- You failed to respond
- Administratively Withdrawn
- The formal grievance

Per page 26 of the Offender Grievance Program Manual:

Offenders may not submit more than five (5) new complaints per calendar week or have more than 5 active grievances and/or appeals. If an offender exceeds those limits, the Grievance Coordinator will return all materials, explain the offender is over the limit, and list all active log ID numbers. You may withdraw one of the active grievance to pursue this one. This must occur by 6/8/16

Date Received

5/16/16

ed informally

or rewriting needed. (See

ays or by _____

(date)

EXPLANATION:

The envelopes must be pre addressed before taking them to the law library for mailing. Not addressed envelopes can become "payment" to other offenders.

See attached

Coordinator's Name (print)

J. AIYEKU

Coordinator's Signature

Oluse

Date

5/16/16



LOG I.D. NUMBER

1661382

OFFENDER COMPLAINT

CHECK ONE: Initial Emergency Appeal Rewrite

RESIDENTIAL FACILITIES: Send completed form to the Grievance Coordinator. Explain what happened, when, where, and who was involved or which policy/procedure is being grieved. Be as brief as possible, but include the necessary facts. Use only one complaint form. A formal grievance begins on the date the typed grievance forms are signed by the Coordinator. Contact a Department employee to report an emergency situation or to initiate an emergency complaint. Please attempt to resolve all complaints through the appropriate Department employee(s) before pursuing a grievance.

NOTE: Complaints must be filed within 20 working days of the incident. Appeals must be filed within 5 working days of receiving the response. Include log ID # on rewrite or response being appealed.

Last Name RUTH	First Matthew	Middle R.	DOC Number 829492	Facility/Office WSP	Unit/Cell Fu 118-3
COMMUNITY SUPERVISION: Send completed copies of this form directly to: Grievance Program Manager, Offender Grievance Program, Department of Corrections, P.O. Box 41129, Olympia WA 98504-1129.					
MAILING ADDRESS: STREET OR P.O. BOX		CITY, STATE		ZIP CODE	TELEPHONE

COMPLAINT: THE Booth officers do not take into consideration that I go to school from 1-4, M-F, when making the JPay list. In fact we only get to use the JPay every other day. we CANNOT to use JPay without cable during Dayroom. So, I ONLY get an getting punished. IF I did not program I could use the JPay. I OVER MISS YARDS because of School. The Booth officers are NOT even period they do not get to everybody. this is mathematically impossible.

SUGGESTED REMEDY:

The Booth officers should take into consideration programming. On the last we should be able to use the other cable(s) during dayroom. The Booth officers should get to Mandatory WASH R. 11/11 5-24-16 EVERYBODY FOR 15 HOURS.

Signature _____ Date _____

GRIEVANCE COORDINATOR'S RESPONSE

Your complaint is being returned because:

- It is not a grievable issue.
- You requested to withdraw the complaint.
- You failed to respond to callout (sheet) on _____.
- Administratively Withdrawn _____.
- The formal grievance/appeal paperwork is being prepared.

Facility/Office WSP	Date Received 5-31-16
<input type="checkbox"/> The complaint was resolved informally. <input type="checkbox"/> Additional information and/or rewriting needed. (See below.) Return within 5 working days or by _____. <input type="checkbox"/> No rewrite received _____. <input type="checkbox"/> Sent to _____ (facility) on _____ (date).	

EXPLANATION:

Per page 26 of the Offender Grievance Program Manual:
 Offenders may not submit more than five (5) new complaints per calendar week or have more than 5 active grievances and/or appeals. If an offender exceeds those limits, the Grievance Coordinator will return all materials, explain the offender is over the limit, and list all active log ID numbers. You may withdraw one of the active grievance to pursue this one. This must occur by 6/22/16

See attached

Coordinator's Name (print)

J. AIYEKU

Coordinator's Signature

Date

6/2/16

Inmate: RUTH, Matthew Robert (879492)

Gender: Male	DOB: 12/09/1979	Age: 36	Category: Regular Inmate	Body Status: Active Inmate
RLC: MOD	Wrap Around: No	Comm. Concern: No	Custody Level: Close	Location: WSP-Main — UNF / FW1181
ERD:	12/01/2021			CC/CCO: McLaughlin, Cory F

Log ID	Action Date	Area	Specific	Resolution	Level	Closure Date
16607425	05/10/2016	LEGAL LIBRARY	MAIL-LEGAL	REWRITE	Level 2	
16606821	04/28/2016	IMU	LEGAL ISSUES		Level 2	
16606819	04/28/2016	IMU	PHOTOCOPYING		Level 2	
16606816	04/28/2016	LEGAL LIBRARY	LEGAL ISSUES		Level 2	
16606814	04/28/2016	SEG	LEGAL ISSUES		Level 2	

EXHIBIT

Two

objections with
material facts to
TRo § go-day letter

THE MOST HONORABLE
BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MATTHEW R. RUTH,
Plaintiff,
v.

PATRICK Glebe, et al...

CASE NO. 2:14-CV-01388-BHS-DWC

OBJECTION TO MAGISTRATE
CHRISTIE'S ORDER DIRECTING
PLAINTIFF TO FILE AMENDED COMPLAINT
AND DENYING MOTION TO SUPPLEMENT
(REQUEST NEW MAGISTRATE BE APPOINTED)

I am now in walla-walla, close custody, west complex
toxwest 118-1. This is just like being in segregation.

I have to write this on letter paper because I
am not being provided plain typing paper. I am not
allowed a bic pen, so I must write this with a

flimsy small segregation pen. This facility does

Not allow regular pens, or toothbrushes because
inmate make shanks with them. I have been here
almost two-weeks and was just given the magistrate's
two orders dated 4-19-16 & 4-20-16, I
object to both. I was just given my chain boxes.
Most of my legal works being held at stafford
creek corrections center because they want me
to send them \$75.00 to ship it here to
walla-walla. I am indigent and have no job, if
I do not send the money they will destroy my
legal work. (Exhibit one 90 day notice). In
fact, magistrate christel has given me
until May 10th to reply to the first
TRO response, but I do not have that

To response to Reply to, it is at
Stafford creek, with my HABEAS CORPUS legal
work and the rest of this CIVIL legal papers,
EXHIBITS, etc.... in fact I had the 2nd Amended
Complaint mostly typed up before the 3-6-16
Segregation incident, it is still in the stafford
Property. chain busses leave stafford every
Monday to shelton, and from shelton every
Wednesday. this court should order them
to send my Legal Property on the
chain bus if they are not going to give
it to me because I do not, and will not
have \$75.00. I cannot meet the May 10th
deadline. I was just given AND DIBBLES

Response to My Second TRO, although, they
make me sign for it on the chain bus
on 4-4-16. I did not get it until 4-29-16.
I had no access to ANY of my legal property
from 3-29-16 until 4-29-16. I am on the law
library list for 5-3-16, the FIRST time I have had
law library access since 3-5-16, despite my
best efforts.

OBJECTIONS TO ORDERS TO FILE AMENDED
COMPLAINT

This is the second Amended Complaint, the
first was ordered by the court, the second
I got permission to file to add the
new claims stemming from the Brutal
Retaliation of the new Superintendent & DOB
4 CZ 15

This court may remember a U.A. was falsified
as dirty against me & I was placed with no
justification on no pen, paper, and book
restrictions in Seg. making me miss legal
deadlines, all out of retaliation for exercising
my constitutional rights. This court gave
me until 3-21-16 to meet the second
amended complaint deadline.

Everyday the defendants saw me work
on the amended complaint & my traverse.
Then on 3-6-16 I was set up and placed in
Seg again and then transferred here to
closed custody walla-walla out of pure
retaliation & active interference.

The Magistrate Judge's facts are an objectively unreasonable determination of the parts & contrary to clearly established Federal Law & this most Honorable Judge Settle should reverse the order directing me to re-file my second Amended complaint and allow for filing the complaint I already filed. My second Amended complaint is 45 not 47 pages.

The magistrate incorrectly claims only 2 pages of my 275 page filing deal with my legal claims, and do not link defendants to alleged constitutional violations. what? This makes no sense. First of all Pages 1-18 are exactly the same from the first 22 page Amended complaint.

Please read pages 1-2, I list all constitutional Amendments & doctrines violated, the pages 3-45 I show what each defendant did, how it violated my specific constitutional rights, and what prejudice ensued. This court accepted the first 22 page Amended complaint, what is different now?

In fact half of page 19 is from the ~~first~~ Amended complaint. The only difference starts on page 19, under the heading "Amended complaint & Defendants"

From page 19 to 45 I list exactly what each defendant did, what rights were violated, how the action is connected to my rights, and what injury was suffered.

The magistrate Judge PS 100% wrong,

My legal claims are not merely two pages
of my complaint.

Next*, the magistrate takes issue with my retaliation

claim regarding my marriage application not
being processed. This was already accepted

And set for pretrial setting, and the

AAG filed an answer on this, in the first
Amended complaint. This claim PS Not new!

It PS a clear cut Retaliation claim against
the Defendants. They refused to treat me

like other offenders in Doc Policy 500.100 &

500.200 by processing my application, although,

So Met all requirements, this was done out

Pure retaliation because me & ms kain
Exercised our 1st Amendment Rights against
the defendants, growing, appealing, and filing
this law suit. The defendant's are especially
upset about our success in social media lately
about the Department of corruption.

I do not know how Magistrate Christel
PS just now recognizing the retaliation/marriage
claim? I do not even understand why she
mentioned it, especially, why did Magistrate
Christel mischaracterize the claim? The
magistrate also confuses my motion for
extension with my amended complaint and
takes down to a pro se inmate, see page 3.

Judge Christel is clearly biased towards me and I ask that a new magistrate be appointed to my case. If Judge Christel has such a hard time understanding my claims, then this means I do not have the ability to articulate my claims & she should have appointed me counsel.

Next, magistrate Christel alleges that for those reasons I have not complied with PROPS, but in fact I have. These issues are complex and are as concise and direct as I know how to make them, I am not an attorney.

Next, magistrate christel even ordered me to not include exhibits in my complaint. This is wrong. I have a right to add exhibits to my complaint, and this court never said anything about it before. She claims I can only present evidence in response to dispositive motions filed by the defendants. This is wrong, contrary to clearly established law.

Next, magistrate christel states the court will screen the 3rd amended complaint to determine whether it contains factual allegations linking each defendant to the alleged violation. magistrate christel

Failed to see that I clearly did this
in the 2nd Amended complaint, so how is
me re-writing it a third time going to be
any different? Magistrate Christel is just
prejudiced & biased against Pro Se Inmates
Suing WOC. Magistrate Christel is
looking to dismiss my serious & factual
complaint.

Next, my 1st Amended complaint exceeded
20 pages. However, now for some reason Magistrate
Christel takes exception. I ask that Judge
SETTLE allows me to file the 45 page
Amended complaint, there is good cause, the
extreme & violent retaliation lasted for
12 of 15

Four years at stafford creek & there
is no way possible for me to fit all of
it in 20 pages. Please allow the 45 page
complaint. I have no access to a type
writer. I am left handed. I have to use
the same flimsy seg. pen. I do not even
have access to plain white paper as of
now.

Next, the magistrate denied my supplement w/exhibits.
I am in prison & the grievances for exhaustion &
other evidence flows in at different times. Plus,
the nature of the retaliation at stafford creek
was that the defendants kept retaliating &
actively interfering with my rights & legal access.

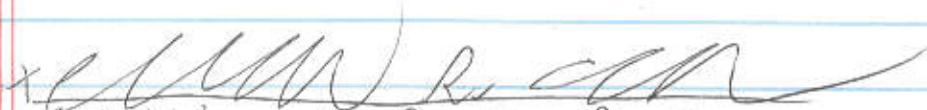
Sore was so severe that I have to document it & file new exhibits proving my claims.
I have more right now proving defendant Martinez's retaliation & that J. Thompson and CWS Jolly are liars who lied to this court & MS. Dibble. I do not see why I cannot file it, the court accepted this type of supplement in the past.

CONCLUSION

Please allow my second amended complaint to be filed; order Stafford Creek to send me my property; give me more time to file the TRO Reply, starting from when I get my property; appoint a new fair & unbiased magistrate.

Respectfully submitted,

THIS SECOND DAY OF MAY 2016


Matthew R. Ruth, Prose

washington state penitentiary
1313 NE 13th
Walla-Walla WA 99362

P.S. J. THOMPSON & S. BROWN DID BOTH
MESS UP THE FILING OF MY TRAVERSE
TO THE SEATTLE DIVISION. MAYBE THIS
WAS DONE TO MY AMENDED COMPLAINT?
I DO NOT THINK SO BECAUSE IT CAME
BACK IN ORDER & KRISTINE A. HAIN
READ IT ON THE INTERNET. THE TRAVERSE
WAS ALL OUT OF ORDER & INTENTIONALLY
MESSED UP. KRISTINE SAID SHE READ
THE 2ED AMENDED COMPLAINT.

EXHIBIT
ONE



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
OFFICE OF CORRECTIONAL OPERATIONS
STAFFORD CREEK CORRECTIONS CENTER
191 Constantine Way, MS WA-39 - Aberdeen, Washington 98520
(360) 537-1800
FAX: (360) 537-1807

To: Ruth

DOC 879492

Date: 3-31-16

RE: 90 Day Notice

The Stafford Creek Correction Center Property Room is currently storing personal property for you.

If you want this property mailed to you, send a money order or cashiers check for the amount of \$ 75.00 to the address below.

If you do not contact the Stafford Creek Corrections Center Property Room, your property will be donated or destroyed 90 days after the date of this notice. Please put Postage Account Only on the money order.

Stafford Creek Correction Center
Attn: Property Room Sergeant
191 Constantine Way
Aberdeen, WA 98520

NO FURTHER NOTICE WILL BE GIVEN

Sincerely,

Property Staff
SCCC

X

Cc: Offender File
Office File